
A BILL FOR AN ACT

RELATING TO SOLAR ENERGY DEVICES.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

1 SECTION 1. Section 196-7, Hawaii Revised Statutes, is
2 amended by amending subsection (b) to read as follows:

3 "(b) Every private entity shall adopt rules by
4 December 31, ~~[2006,]~~ 2010, that provide for the placement of
5 solar energy devices. The rules shall facilitate the placement
6 of solar energy devices and shall not ~~[unduly or unreasonably~~
7 ~~restrict that placement so as to]~~ impose conditions or
8 restrictions that render the device more than twenty-five per
9 cent less efficient or ~~[to]~~ increase the cost of installation,
10 maintenance, and removal of the device by more than fifteen per
11 cent. No private entity shall assess or charge any homeowner
12 any fees for the placement of any solar energy device~~[.]~~ or
13 require an encumbrance on title."

14 SECTION 2. Statutory material to be repealed is bracketed
15 and stricken. New statutory material is underscored.

16 SECTION 3. This Act shall take effect on July 1, 2010.

Report Title:

Solar Energy Device; Homeowners Associations

Description:

Clarifies that the rules of a private homeowners association or entity shall not impose conditions or restrictions that render a solar energy device more than 25% less effective, increase the cost of installation, maintenance, and removal of a solar energy device, or require an encumbrance on title because of the placement of the solar energy device. (SD1)

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